



WENMM/SB/30 (06/01)/10110-3:as:221517

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 335 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/615,883
Filing Date	July 14, 2000
First Named Inventor	Hiromichi Ohta, et al.
Group Art Unit	1775
Examiner Name	Jennifer C. McNeil
Attorney Docket Number	10110-3

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

Note: 37 CFR § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 CFR § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 15865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 CFR § 1.114

- a.  Previously submitted
- i.  Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on \_\_\_\_\_
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
- i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - ii.  Information Disclosure Statement (IDS) 06/02/2003 JADDO1 00000107 09615883
  - iv.  Other Fee Transmittal 01 FC:1801 750.00 OP

2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required.)
- b.  Other \_\_\_\_\_

3. Fees

The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-3030.
- i.  RCE fee required under 37 CFR § 1.17(e)
  - ii.  Extension of time fee (37 CFR §§ 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ 1680.00 enclsed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	David E. Novak	Registration No. (Attorney/Agent)	50,752
Signature		Date	May 27, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: May 27, 2003

Name (Print/Type)	David E. Novak	Date	May 27, 2003
Signature		Date	May 27, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



# FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Total Amount of Payment (\$ 1680.00)

## METHOD OF PAYMENT

 Check  Credit card  Money Order  Other Order  None
 Deposit Account:

Deposit Account Number

23-3030

Deposit Account Name

Woodard, Emhardt, Moriarty,  
McNett & Henry LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility Filing Fee	
1002	330	2002	165	Design Filing Fee	
1003	520	2003	260	Plant Filing Fee	
1004	750	2004	375	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1) (\$ 0.00)					

## 2. EXTRA CLAIM FEES

Total Claims	-20** =	Extra Claims	Fee From Below	Fee Paid
		X		=
Independent Claims	-3** =	X		=
Multiple Dependent				

Large Entity		Small Entity	
Fee Description			
Fee Code	Fee (\$)	Fee Code	Fee (\$)
18		9	Claims in excess of 20
1201	84	2201	42
1203	280	2203	140
1204	84	2204	42
1205	18	2205	9
SUBTOTAL (2) (\$ 0.00)			

\*\*or number previously paid, if greater; For Reissues, see above

Complete if Known	
Application Number	09/615,883
Filing Date	July 14, 2000
First Named Inventor	Hiromichi Ohta, et al.
Group Art Unit	1775
Examiner Name	Jennifer C. McNeil

Total Amount of Payment (\$ 1680.00) Attorney Docket Number 10110-3

## FEE CALCULATION (continued)

3. ADDITIONAL FEES		Fee Description		Fee Paid
Large Entity	Small Entity	Fee Code	Fee (\$)	
		1051	130	Surcharge – late filing fee or oath
		1052	50	Surcharge – late provisional filing fee or cover sheet
		1053	130	Non-English specification
		1812	2,520	For filing a request for <i>ex parte</i> reexamination
		1804	920*	Requesting publication of SIR prior to Examiner's Action
		1805	1,840*	Requesting publication of SIR after Examiner's Action
		1251	110	Extension for reply within first month
		1252	410	Extension for reply within second month
		1253	930	Extension for reply within third month
		1254	1,450	Extension for reply within fourth month
		1255	1,970	Extension for reply within fifth month
		1401	320	Notice of Appeal
		1402	320	Filing a brief in support of an appeal
		1403	280	Request for oral hearing
		1451	1,510	Petition to institute a public use proceeding
		1452	110	Petition to revive – unavoidable
		1453	1,300	Petition to revive – unintentional
		1501	1,300	Utility issue fee (or reissue)
		1502	470	Design issue fee
		1503	630	Plant issue fee
		1460	130	Petitions to the Commissioner
		1807	50	Petitions related to provisional applications
		1806	180	Submission of Information Disclosure Stmt
		8021	40	Recording each patent assignment per property (times number of properties)
		1809	750	Filing a submission after final rejection (37 CFR 1.129(a))
		1810	750	For each additional invention to be examined (37 CFR 1.129(b))
		1801	750	Request for Continued Examination (RCE)
		1802	900	Request for expedited examination of a design application
Other Fee (specify)				
* Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 1680.00)		

Complete if applicable

Name (Print/Type)	David E. Novak	Registration No. (Attorney/Agent)	50,752	Telephone	(317) 634-3456
Signature		Date	May 27, 2003		